

**UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF VIRGINIA
(Big Stone Gap Division)**

MELINDA SCOTT,

Plaintiff,

v.

WISE COUNTY DEPARTMENT OF
SOCIAL SERVICES, *et al.*,

Defendants.

Case No. 2:20-cv-00014-JPJ-PMS

**JOSHUA MOON'S MOTION TO
SUPPLEMENT MOTION FOR
ATTORNEY'S FEES AND COSTS**

NOW COMES Joshua Moon, by and through undersigned counsel, and moves to supplement his motion for an award of attorney's fees and costs. In support of this motion, undersigned counsel states as follows:

- 1) At ECF No. 86, this Court denied a motion to extend Mr. Moon's deadline to file his initial motion for an award of costs and fees, which extension Mr. Moon requested on the grounds that he was awaiting copies of certified records from the Buchanan County General District Court.¹ This Court noted, however, that Mr. Moon could "move to supplement [the] motion and evidence later, if necessary."
- 2) The bulk of the requested documents from the Buchanan County General District Court arrived with undersigned counsel's mail late in the day on October 22, 2021, and were therefore included in the Reply filed at ECF No. 99-3.

¹ Although the bad faith behavior referenced in Mr. Moon's declarations at ECF Nos. 99-1 and 91-1 continues to the present time, and includes Ms. Scott's repeated admissions that she has challenged Mr. Moon to a duel in lieu of litigation and attorney's fees and Ms. Scott's celebration of the recent death of one of the John Does, Mr. Moon does not present additional evidence relating to those matters in the interest of judicial economy and because such evidence would be cumulative.

- 3) Although the Buchanan County General District Court provided undersigned counsel with certified copies of the entire case file in the relevant case, *Scott v. Appalachian Rental Solutions* (GV17000781-00), that court did not specifically certify the absence of a satisfaction or release of judgment in its records.
- 4) Undersigned counsel has now received confirmation from the Clerk of the Buchanan County General District Court, as contemplated by Fed. R. Evid. 803 (7), Fed. R. Evid. 803 (10), Fed. R. Evid. 902, Fed. R. Evid. 1004, and Fed. R. Evid. 1005, that the reason no satisfaction of judgment was provided in response to undersigned counsel's initial request is because no satisfaction or release of judgment exists in the files of the Buchanan County General District Court. See Exhibit 1.

WHEREFORE, Mr. Moon moves that this Court grant him leave to supplement his original motion for attorney's fees and costs and consider the attached letter from the Buchanan County General District Court as additional evidence that Ms. Scott has failed to satisfy a previous award of sanctions for which was entered against her for a previous round of frivolous litigation.

Respectfully submitted this the 25th day of October, 2021,

JOSHUA MOON

By Counsel:

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Certificate of Service

I hereby certify that I will file a true and correct copy of the foregoing document with the Court's CM/ECF system, which will electronically serve counsel of record. I have also deposited a true and correct copy of the foregoing document into the U.S. Mail, with First Class postage prepaid, directed to:

Melinda Scott
2014PMB87
Post Office Box 1133
Richmond, VA 23218

Dated: October 25, 2021

/s/Matthew D. Hardin
Matthew D. Hardin
Counsel for Joshua Moon